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U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

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HUGHES COMMUNICATIONS, INC.  
and HUGHES NETWORK SYSTEMS, LLC

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

ERIC SCHUMACHER, on behalf of himself and all  
others similarly situated and the General Public,

Plaintiffs,

v.

HUGHESNET, INC.; HUGHES  
COMMUNICATIONS, INC.; HUGHES  
NETWORK SYSTEMS, LLC; and DOES 1  
through 20,

Defendants.

Case No.: 09-cv-3543 JL

**JOINT STIPULATION EXTENDING  
TIME FOR DEFENDANTS TO  
RESPOND TO COMPLAINT**

The Honorable James Larson

1 WHEREAS Plaintiff filed a putative class action complaint against Defendants Hughes  
2 Communications, Inc. and Hughes Network Systems, LLC (the "Hughes Defendants") in the  
3 Superior Court for the State of California in the County of San Diego on June 9, 2009;

4 WHEREAS Defendants removed this action (the "Schumacher Action") to the United  
5 States District Court for Southern District of California on June 25, 2009;

6 WHEREAS the parties previously stipulated to an extension of time for Defendants to  
7 respond to the Complaint, and a response is currently due on August 12, 2009;

8 WHEREAS Tina Walter and Christopher Bayless had previously filed a putative class  
9 action in the Northern District of California (the "Walter Action", Case No. 09-cv-02136 SC) on  
10 May 15, 2009 against the Hughes Defendants, and sent a Waiver of Service of Summons on that  
11 same date;

12 WHEREAS the Walter Action is currently pending before Judge Conti;

13 WHEREAS Plaintiffs in both the Schumacher Action and the Walter Action assert claims  
14 against the Hughes Defendants on behalf of a putative class of California subscribers to the  
15 "HughesNet" internet service;

16 WHEREAS both Complaints assert claims regarding the HughesNet internet speeds,  
17 termination fees and other terms and conditions of the HughesNet service;

18 WHEREAS the two actions raise many of the same or similar issues of fact and law;

19 WHEREAS the parties to the Schumacher Action agreed, for the foregoing reasons, that  
20 litigation of the two actions in separate forums would be inefficient and wasteful, and filed a joint  
21 motion to transfer the Schumacher Action to the Northern District of California;

22 WHEREAS on July 28, 2009 the Court in the Southern District of California granted the  
23 joint motion and issued an order transferring the Schumacher Action to the Northern District of  
24 California;

25 WHEREAS the Schumacher Action is now before the Northern District of California as  
26 Case No.: 09-cv-3543 JL.

27 WHEREAS Plaintiffs in the Schumacher and Walter Actions intend to file a single  
28 consolidated complaint;

1 WHEREAS, on August 6, 2009, this Court (Conti, J.) entered an Order in the Walter  
2 Action setting September 3, 2009 as the date by which plaintiffs are to file a Consolidated  
3 Complaint, and October 5, 2009 as the date by which defendants must answer or otherwise  
4 respond to the Consolidated Complaint;

5 WHEREAS the parties agree that Defendants should not have to answer or otherwise  
6 respond to the existing Schumacher Complaint in light of Plaintiffs' intent to file a single  
7 consolidated complaint;

8 IT IS HEREBY STIPULATED, by and between the parties through their respective  
9 counsel, that:

- 10 (1) Defendants need not file a response to the pending Complaint;  
11 (2) Plaintiffs will file a Consolidated Complaint on or before September 3, 2009; and  
12 (3) Defendants will answer or otherwise respond to the Consolidated Complaint on or  
13 before October 5, 2009.

14 IT IS SO STIPULATED.

15 Dated: August 10, 2009

HOGAN & HARTSON LLP

16 By: 

17 Robert B. Hawk  
18 Attorneys for Defendants  
19 HUGHES COMMUNICATIONS, INC. and  
20 HUGHES NETWORK SYSTEMS LLC

21 Dated: August 10, 2009

AUDET & PARTNERS, LLP

22 By: \_\_\_\_\_

23 Joshua C. Ezrin  
24 Attorneys for Plaintiff  
ERIC SCHUMACHER

25 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED

26 August 12, 2009

27 By: 

28 Magistrate Judge James Larson

1 WHEREAS, on August 6, 2009, this Court (Conti, J.) entered an Order in the Walter  
2 Action setting September 3, 2009 as the date by which plaintiffs are to file a Consolidated  
3 Complaint, and October 5, 2009 as the date by which defendants must answer or otherwise  
4 respond to the Consolidated Complaint;

5 WHEREAS the parties agree that Defendants should not have to answer or otherwise  
6 respond to the existing Schumacher Complaint in light of Plaintiffs' intent to file a single  
7 consolidated complaint;

8 IT IS HEREBY STIPULATED, by and between the parties through their respective  
9 counsel, that:

- 10 (1) Defendants need not file a response to the pending Complaint;  
11 (2) Plaintiffs will file a Consolidated Complaint on or before September 3, 2009; and  
12 (3) Defendants will answer or otherwise respond to the Consolidated Complaint on or  
13 before October 5, 2009.

14 IT IS SO STIPULATED.

15 Dated: August 10, 2009

HOGAN & HARTSON LLP

16 By: \_\_\_\_\_

17 Robert B. Hawk  
18 Attorneys for Defendants  
19 HUGHES COMMUNICATIONS, INC. and  
20 HUGHES NETWORK SYSTEMS LLC

21 Dated: August 10, 2009

AUDET & PARTNERS, LLP

22 By: \_\_\_\_\_

23 Joshua C. Ezrin  
24 Attorneys for Plaintiff  
ERIC SCHUMACHER

25 PURSUANT TO THE ABOVE STIPULATION, IT IS SO ORDERED

26 August \_\_, 2009

27 By: \_\_\_\_\_

28 /s/  
Magistrate Judge James Larson